

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHOICE HOTELS INTERNATIONAL,
INC.,

No. C 13-80249 WHA

Plaintiff,

v.

PENTA DENVER, LLC, et al.,

**ORDER REGARDING MUKESH
MOWJI**

Defendants.

In July 2011, plaintiff filed an application to confirm an arbitration award in Maryland, commencing the action captioned as *Choice Hotels Int'l, Inc. v. Penta Denver, LLC, et al.*, No. 8:11-cv-02049-RWT (D. Md. July 26, 2011). Plaintiff Choice Hotels was previously awarded \$129,849.48 in an arbitration, after a preliminary hearing wherein respondents, after receiving notice, "elected neither to appear nor to participate" (Dkt. No. 1, Exh. 1).

In January 2013, the District of Maryland entered a default judgment for Choice Hotels and against Mukesh J. Mowji, Penta Denver, LLC, Penta Hospitality, LLC, Tarun S. Patel, and Anil R. Patel for \$129,849.48 with post-judgment interest and costs.

In November 2013, plaintiff Choice Hotels International, Inc. registered the default judgment in this district. *Choice Hotels Int'l, Inc. v. Penta Denver, LLC, et al.*, No. 3:13-mc-80249-WHA (N.D. Cal. Nov. 7, 2013). A January 2014 order adopted a report and recommendation to charge Tarun S. Patel's interest in Pacific Hospitality Company LLC with payment of the unpaid balance of the default judgment. Final judgment was entered against

Mr. Patel (Dkt. Nos. 10, 12, 13). A May 2014 order adopted a report and recommendation to charge Mukesh J. Mowji's interest, if any, in Lemoore Crossings LLC. Final judgment was entered against Mr. Mowji (Dkt. Nos. 19, 26, 27).

On April 23, plaintiff Choice Hotels International, Inc. moved for an order (Dkt. No. 21):


assigning to Plaintiff/Judgment Choice Hotels International Inc. the interest, if any, of Defendant/Judgment Debtor Mukesh J. Mowji in his rights to payment of money due or to become due, whether styled accounts receivable, general intangibles, accounts, deposit accounts, royalties, fees, commissions, or otherwise, from his business activities involving Pracrea Inc. [Entity No. C3358553], 1735 North 1st Street, Suite 312, San Jose, California 95112, to the extent necessary to satisfy the judgment entered in this action in full, which as of May 29, 2014 is \$130,495.48.

No opposition to the motion was filed. A May 28 report and recommendation by Magistrate Judge Jacqueline Scott Corley recommended granting plaintiff's motion for an assignment (Dkt. No. 28). No objections were filed. Mukesh J. Mowji has never appeared in this action.

By **JULY 7**, plaintiff is ordered to make a good-faith effort to personally serve Mr. Mowji and Pracrea Inc. with this order and docket numbers 1, 10, 12, 13, 19, 21, 25, 26, 27, and 28. Within **TWO CALENDAR DAYS OF SERVICE** (or a good-faith service attempt), plaintiff shall file appropriate declarations detailing the service attempt. Plaintiff shall also candidly state what additional motions are expected to be filed. Mr. Mowji has until **JULY 21** to appear via a written filing with the Court.

IT IS SO ORDERED.

Dated: June 19, 2014.


 WILLIAM ALSUP
 UNITED STATES DISTRICT JUDGE